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TRIAL ATTORNEYS

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19 June 2019

Jillian D. Willis
Assistant United States Attorney
U.S. Dept. Of Justice, Fraud Section
1400 New York Avenue NW
Washington D.C., 20530
Jillian.willis2@usdoj.gov

Re: United States v. Charles Alston, M.D.
Case No. 1:19-CR-10041-JDB

Dear Ms. Willis,

Thank you for the discovery provided on May 6, 2019. This letter is a follow up to ensure that Dr. Alston receives all the discovery to which he is entitled.

I am writing pursuant to W.D. Tenn. LCrR 16.1(a) to request that you provide our office with the following information or notice regarding the above referenced case:

1. All information or material that comes within the purview of Rule 16 of the Federal Rules of Criminal Procedure (all subsections), W.D. Tenn. LCrR 16.1 (all subsections), Brady, Giglio and/or the Court's pre-trial order.
2. Notice of any evidence the government intends to use in its case in chief at trial that arguably could be the subject of a motion to suppress evidence. If a search was conducted pursuant to a search warrant, whether state or federal, the Defendant requests a copy of the federal and state warrant application(s) (i.e. affidavits), the warrant(s), and the return(s) (i.e. inventory).
3. Notice of the government's intention to use "other crimes, wrongs or acts" evidence and the general nature of that evidence. *See* F.R.E. 404(b).

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4. If any witnesses have been shown any photographic or live lineup(s) involving the Defendant, the Defendant requests to inspect the photographs or documents relating to those lineups. If any witness failed to identify the Defendant from a lineup, the Defendant should be informed of that under Brady.
5. Regarding witnesses that may be called by the government, the defendant requests the following:
 - a. Documents showing the criminal record of the witness. Since “rap sheets” are often difficult to decipher, and do not always contain complete information, the defendant requests that the government do more than merely provide a “rap sheet” on the witness unless it is confident that the “rap sheet” clearly and completely reflects the witness’s criminal record. The defendant also wants to know if a witness has any pending criminal charges.
 - b. All information regarding any possible benefits a witness might expect to receive for his/her testimony, e.g. plea agreements, immunity, payments, benefits to others, etc.
 - c. Information that a witness made a statement or failed to make a statement, e.g., failed to name the defendant as a participant, that arguably could be exculpatory regarding the defendant.
 - d. Information that a witness has given inconsistent statements about an arguably material matter.
 - e. Information that a witness was under the influence of drugs at the time of the events about which he/she is testifying.
 - f. Information that a witness has or is suffering from a mental illness that arguably could affect the witness’s ability to discern or tell the truth.

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- g. Any other information that arguably would be pertinent to a witness's credibility.
6. The names of persons who will not be called as witnesses by the government, but who may have information pertinent to the case, e.g., a person who has been interviewed by a government agent but did not, in the government's opinion, provide helpful information.
7. At the earliest possible time, all "statements" of witnesses that must be provided under 18 U.S.C. §3500 (Jencks Act).
8. Any information that indicates that one witness has given a statement that is inconsistent with the statement of another witness.

I appreciate your attention to these requests. If you do not believe you have to furnish me the requested information if it exists, please let me know so that I can determine whether I need to file an appropriate motion.

Sincerely,



Manubir S. Arora

Attorney for Defendant